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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/885,834   | 06/20/2001  | John F. Lane         | 10821/51085         | 4115             |
| 26869  | 7590        | 02/09/2004           | EXAMINER            |                  |
| DEVINE, MILLIMET & BRANCH, P.A.<br>111 AMHERST STREET<br>BOX 719<br>MANCHESTER, NH 03105 |             |                      | CORRIELUS, JEAN M   |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2172                |                  |

DATE MAILED: 02/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|------------------------------|------------------------|---------------------|
|                              | 09/885,834             | LANE ET AL.         |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |
|                              | Jean M Corrielus       | 2172                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 08 December 2003.  
2a)  This action is FINAL.                            2b)  This action is non-final.  
3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-4 is/are pending in the application.  
4a) Of the above claim(s) 5-7 is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-4 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

## DETAILED ACTION

1. This office action is in response to the election of the restriction requirement filed on December 8, 2003, in which claims 1-4 have been elected for examination

### *Drawings*

2. Applicants are required to furnish the formal drawings in response this office action. No new matter may be introduced in the required drawing. Failure to timely submit a drawing will result in **ABANDONMENT** of the application.

### *Claim Rejections - 35 USC § 102*

- (3). The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- (4). Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Croix et al (hereinafter “Croix”) US Patent Application Publication 2002/0183957.

As to claim 1, Croix discloses an analogous system that has an application program for electronic design automation (page 3, col.1, paragraph 0033). Croix, in particular discloses the claimed “a library of format readers for reading at least one intelligent design saved in a specific format” as

a shared object library having a generic code (page 3, col.1, paragraph 0033); “a format verifier linked to the format readers for matching the intelligent design to one of the format readers capable of reading the specific format” page 3, col.1, paragraph 0033); import application programming interface linked to the format verifier for importing the intelligent design in the application format for viewing the intelligent design” an application program having one or more macros or rules (page 3, col.1, paragraph 0033); and “memory resident data model, linked to the import application programming interface, is a database for storing the properties and functional characteristics of the intelligent design” (page 3, col.1, paragraph 0033, 0034).

As to claim 2, Croix discloses the claimed “a query application programming interface, linked to the memory resident data (page 3, col.2, paragraph 0040); model for searching for at least one element in the memory resident data model” (page 3, col.2, paragraph 0040-0041); “user interface, linked to the query application programming interface for interactively accessing the memory resident of the interface” (page 3, col.1, paragraph 0034, 0037).

As to claim 3, Croix discloses the claimed “comprising at least one format writer linked to the query application programming interface for scripting within the invention thereby allowing the user to control local configuration and behavior of the user interface” (page 4, col.1, paragraph 0045).

***Claim Rejections - 35 USC § 103***

(5). The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(6). Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Croix et al., (hereinafter " Croix") US Patent Application Publication 2002/0183957.

As to claim 4, Croix does not explicitly disclose the claimed "a collaborative network element, linked by at least one medium to the memory resident data model for using the apparatus across a global computer network". However, Croix discloses the use of providing an interface that communicates between the application program and data model via a loader, wherein the loader and the data model can each be, a shared object or a dynamic link library which utilizes as a software module being invoked and subsequently executed at runtime for the application program (page 3, col.1, paragraph 0036-0037). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Croix's system, wherein the electronic design automation (EDA) provided therein (See Croix's fig.4) would incorporate the use of a collaborative network element, linked by at least one medium to the memory resident data model for using the apparatus across a global computer network. The motivation being to derive information from the memory resident data model across the global computer network.

*Conclusion*

(7). Any inquiry concerning this communication or early communication from the Examiner should directed to **Jean Corrielus** whose telephone number is (703) 306-3035. The Examiner can normally be reached on the weekdays from 7:00am to 5:30pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, **Kim Vu**, can be reached on (703)305-9343. Any response to this action should be mailed to: **Commissioner of Patents and Trademarks Washington, D.C. 20231**

**or faxed to: (703) 746-7239**, (for formal communications intended for entry)

**Or: (703)746-7240** (for informal or draft communications, please label "PROPOSED" or "DRAFT") Hand-delivered responses should be brought to **Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist)**.



Jean M. Corrielus

Patent Examiner

February 5, 2004